

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

SANDRA MARIA DE FATIMA SEDA BARLETTA
DEBTOR

CASE NO. 19-02177 MCF

CHAPTER 13

**MOTION FOR WITHDRAWAL OF LEGAL REPRESENTATION &
REQUEST FOR PERIOD OF 45 DAYS FOR THE DEBTOR TO RETAIN NEW LEGAL
COUNSEL AND REPLY WITH ANY ORDER OR MOTION OF THE COURT**

TO THE HONORABLE MILDRED CABAN FLORES
CHIEF U.S. BANKRUPTCY COURT JUDGE:

COMES NOW, Noemí Landrau Rivera, counsel of record for the Debtor in the captioned case and before this Honorable Court most respectfully states and prays:

1. Debtor, Sandra María De Fátima Seda Barletta, filed a Chapter 13 petition for relief on April 22, 2019. Hearing on confirmation of Debtor's proposed plan has been scheduled for April 6, 2021. On February 18, 2021, this Honorable Court granted Debtor until March 12, 2021 to reply Trustee's unfavorable report on confirmation. See docket nos. 70, 71 and 77.

2. In compliance with her duties to her client, undersigned counsel has met with Debtor to discuss the motions and orders pending in the captioned case, including an analysis of the legal issues and the suggested legal strategy for the case. Counsel and Debtor are not in agreement with the strategy to follow in the case, reason for which Counsel and Debtor have agreed that undersigned counsel withdraw as counsel for Debtor in the captioned proceeding.

3. In view of the aforementioned, this counsel cannot responsibly and ethically provide legal representation to Ms. Sandra María De Fátima Seda Barletta, as is required of counsels who appear, to dutifully represent her client before this Honorable Court.

4. Undersigned counsel is therefore unable to provide legal representation in the captioned case and respectfully requests that this Court grant her leave to withdraw as counsel for Debtor in the captioned case.

5. Counsel further agreed with Debtor to request a period of forty-five (45) days for the Debtor to retain new legal representation and address any pending motion, order or request currently pending in the case docket.

6. Therefore, the undersigned attorney pursuant to the American Bar Association Model Rule 1.16(b) requests that this Court grant her withdrawal as legal representative for Debtor in the instant case and grant the Debtor a period of forty-five (45) days to hire new counsel and responsibly appear before this Court to reply to any pending order, motion or pleading.

WHEREFORE, it is respectfully requested that this Court grant this motion and enter order:

- a) Granting the withdrawal of attorney Noemí Landrau Rivera and Landrau Rivera & Associates from Debtor's legal representation;
- b) Granting a period of forty-five (45) days for Debtor to retain new counsel;
- c) Grant the Debtor a period of forty-five (45) days for Debtor to address any pending order, motion or pleading before this Court.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 23rd day of February, 2021.

NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Federal Rules of Bankruptcy Procedure 9006(f) if you were served by mail, any interested party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's Office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by Law; (ii) the requested relief is against public policy; (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to all parties in this case registered for receipt of notice by electronic mail including the US Trustee at ustregion21.hr.ecf@usdoj.gov, Chapter 13 Trustee, Alejandro Oliveras Rivera and counsels for secured creditors; and by depositing true and exact copies thereof in the US regular mail, to all other parties included in attached master address list, including Debtor at 8 Calle Tapia, Ocean Park, San Juan, PR 00911.

LANDRAU RIVERA & ASSOC.

PO Box 270219
San Juan, PR 00928
Tel. 787-774-0224 / 787-273-7949

/s/ Noemí Landrau Rivera
USDC PR No. 215510
nlandrau@landraulaw.com

/s/ Josué A. Landrau Rivera
USDC PR No. 226108
jlandrau@landraulaw.com